IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 5690 of 1989

For Approval and Signature:

HONOURABLE MR.JUSTICE M.R. SHAH

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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SATISHCHANRA BABULAL AGRAWAL - Petitioner(s)

Versus

BARODA MUNICIPAL CORPORATION & 1 - Respondent(s)

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Appearance :

MR BHARAT T RAO for Petitioner(s) : 1 - 4.
(MR GN DESAI) for Respondent(s) : 1, 3,
MR PRANAV G DESAI for Respondent(s) : 1,
None for Respondent(s) : 2, 4,

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CORAM : HONOURABLE MR.JUSTICE M.R. SHAH

Date : 27/09/2005

ORAL JUDGMENT

In this petition under Article 226 of the Constitution of India, the petitioners have prayed for an appropriate writ, order or direction directing the respondent No.2 not to place resolution before the General Board which is at Annexure 'F' to the

petition passed by respondent No.4 Standing Committee of Vadodara Municipal Corporation authorising its Commissioner to make allotment in the Belbaugh Shopping Centre which was to be constructed by the Corporation on an area known as Cycle Stand of the Corporation. From the pleadings it appears that the petitioners were doing some business by putting up their cabins at the place in question and subsequently their cabins were demolished/removed and Shopping Centre was already constructed. In view of the above development and more particularly in view of the fact that the petitioners do not have any vested right in putting up the cabins on the property of the Corporation, the present Special Civil Application is dismissed. Rule is discharged.

[M.R. Shah, J.]

RMR.